

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. - 11. (canceled).

12. (currently amended): A battery in which at least one cover member and a power generating element comprising a positive electrode, a negative electrode and a separator are accommodated in a battery case, wherein:

said battery case comprises a sheet comprising a laminate of an aluminum foil and a ~~scalant resin~~-layer,

said cover member ~~and said scalant layer are~~ is provided between said power generating element and ~~said aluminum foil~~ ~~said battery case~~,

at least one of said positive electrode and negative electrode comprises a non-coated portion,

at least the part of said non-coated portion is exposed on a surface of said power generating element, and the exposed part of said non-coated portion is covered with said cover member.

13. (previously presented): The battery according to claim 12, wherein:

further comprising another cover member,

wherein said power generating element is covered with said two cover members,

said two cover members are cup-shaped, and

open sides of said two cover members face each other.

14. (previously presented): The battery according to claim 13, wherein:

each of said positive electrode and said negative electrode comprises a lead terminal, and said lead terminal is held between said two cover members.

15. (previously presented): The battery according to claim 13, wherein:

said power generating element is entirely covered with said two cover members in said battery case.

16. (previously presented): The battery according to claim 13, wherein:

said two cover members are superimposed such that said two cover members face each other,

the superimposed portion of said two cover members faces the non-coated portion, and faces a superimposed portion of said battery case, on the opposite side to the non-coated portion.

17. (currently amended): A battery in which two cover members and a power generating element comprising a positive electrode, a negative electrode and a separator are accommodated in a battery case, wherein:

said battery case comprises a sheet comprising a laminate of an aluminum foil and a sealant resin layer,

each one of said two cover members and said sealant layer are is provided between said power generating element and said aluminum foil~~said battery case~~,

~~each of~~ said positive electrode and said negative electrode ~~comprise~~ ~~comprises~~ a positive electrode lead terminal and a negative electrode lead terminal respectively, and

said two cover members face each other, holding said positive electrode lead terminal and said negative electrode lead terminal between them, to cover said power generating element.

18. (previously presented): The battery according to claim 17, wherein:

said two covers members are cup-shaped, and

open sides of said two cover members face each other.

19. - 28. (canceled).